

DOCKET FILE COPY ORIGINAL

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

RECEIVED

MAR 23 2005

Federal Communications Commission
Office of Secretary

In the Matter of

Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(Idaho Falls and Iona, Idaho)

)
)
)
)
)
)

MM Docket No. 02-289
RM-10526

TO: Office of Secretary
Attn: Chief, Audio Division

**WITHDRAWAL OF COMMENTS AND COUNTERPROPOSAL AND REQUEST FOR
TERMINATION OF PROCEEDING**

Sand Hill Media Corporation ("Sand Hill"), licensee of KQEO(FM), Idaho Falls, Idaho, hereby requests that the Commission withdraw Sand Hill's pending Comments and Counterproposal in the above-referenced proceeding seeking to modify the FM Table of Allotments to substitute Channel 299C1 for Channel 296C1 at Idaho Falls, to allot Channel 299C1 at Iona, Idaho, and to modify the license of KQEO to specify Iona as its community of license, and to terminate the above-referenced proceeding.

DISCUSSION

On June 12, 2002, Scott D. Parker ("Parker") filed a Petition for Rule Making to amend the FM Table of Allotments to allot Channel 300C1 at Idaho Falls, Idaho. The Commission released a Notice of Proposed Rule Making on September 27, 2002 specifying Parker's proposal. On November 18, 2002, Sand Hill filed its Comments and Counterproposal requesting the Commission not allot a new Channel 300C1 at Idaho Falls, Idaho, but instead specify Channel 299C1 in lieu of Channel 296C1, allot Channel 299C1 at Iona, Idaho, and change the city of

No. of Copies rec'd
List ABCDE

014

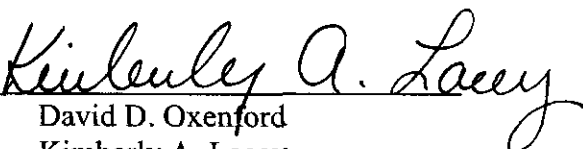
license for KQEO from Idaho Falls to Iona, Idaho. On November 18, 2002, Parker withdrew his expression of interest for the allotment of Channel 300C1 at Idaho Falls.

Sand Hill is no longer interested in pursuing its Counterproposal, and Mr. Parker has withdrawn his expression of interest in the channel. No other parties have expressed any interest in the channel. Accordingly, Sand Hill requests that its Counterproposal be formally withdrawn, that this proceeding be terminated, and that no change be made to the FM Table of Allotments in Idaho Falls, Idaho. A declaration of Ryan G. Frandsen, President of Sand Hill, is attached to this Withdrawal of Comments and Counterproposal. *See Exhibit A. Mr. Frandsen's Declaration* indicates that no person or entity has been paid or promised to pay Sand Hill, or any entity connected to Sand Hill, any consideration in connection with its withdrawal.

The withdrawal of Sand Hill's Comments and Counterproposal will allow the Commission to move forward with processing and granting KQEO's construction permit application. *See FCC File No. BPH-20030204ADR.* Accordingly, Sand Hill respectfully requests the grant of its construction permit application upon the termination of this proceeding.

Respectfully submitted,

SAND HILL MEDIA CORPORATION

By: 
David D. Oxenford
Kimberly A. Lacey

Its Attorneys

SHAW PITTMAN LLP
2300 N Street, N.W.
Washington, D.C. 20037
(202) 663-8000

Dated: March 23, 2005

CERTIFICATE OF SERVICE

I, Angela Green, a secretary in the law firm of Shaw Pittman LLP, do hereby certify that true copies of the foregoing **"WITHDRAWAL OF COMMENTS AND COUNTERPROPOSAL"** were sent via U.S. Mail this 23rd day of March, 2005, to the following:

Andy Rhodes*
Audio Division, Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Room 2-C261
Washington, DC 20554

Richard A. Helmick, Esq.
Cohn & Marks
1920 N Street, N.W.
Suite 300
Washington, DC 20036


Angela Green

*Hand Delivery

EXHIBIT A

DECLARATION OF RYAN G. FRANDSEN

I, Ryan G. Frandsen, President of Sand Hill Media Corporation ("Sand Hill"), do hereby declare under penalty of perjury that the following is true and correct to the best of my personal knowledge and belief:

1. Previously, Sand Hill had submitted Comments and Counterproposal seeking the substitution of Channel 299C1 for Channel 296C1 at Idaho Falls, Idaho, allotment of Channel 299C1 at Iona, Idaho and the modification of KQEO to specify Iona as its city of license.
2. Sand Hill hereby respectfully requests that the Commission withdrawal its Comments and Counterproposal.
3. Neither Sand Hill nor any of its principals has paid, received, promised, or been promised any consideration in connection with the withdrawal of this proposal. Withdrawal of this proposal will serve the public interest by saving time and resources of the parties and the FCC.

SAND HILL MEDIA CORPORATION

By: _____

Ryan G. Frandsen
President

Date: March 23, 2005